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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,208	06/22/2001	Kanetaka Sekiguchi	010763	6186

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EXAMINER

GOODWIN, JEANNE M

ART UNIT PAPER NUMBER

2841

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/857,208	SEKIGUCHI ET AL.	
	Examiner	Art Unit	
	Jeanne-Marguerite Goodwin	2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 92-94 is/are pending in the application.
- 4a) Of the above claim(s) 48-91 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 92-94 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 92 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regards to the display having low brightness by said liquid crystal display panel is performing using a low reflectance characteristic of said solar battery as stated in claim 92 is confusing and indefinite because the specification lacks knowledge on how low brightness by the LCD is performed using a low reflectance characteristic of the solar battery. Thus, Examiner is interpreting it as a low reflectance is being created by no or little ambient light being transmitted to the solar battery cell.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 93 is rejected under 35 U.S.C. 102(b) as being anticipated by JP Patent 411119190A to Sekiguchi.

Art Unit: 2841

As per claim 93: Sekiguchi discloses liquid crystal display device wherein a solar battery (12) is provided to face at least a part of a surface opposite to a visual recognition side of said liquid crystal display panel (9), light is applied to said solar battery (12) through a transmission portion of said liquid crystal display panel (9) to generate electric power, and a color film (11) for transmitting light almost (substantially) equal to the absorption optical wavelength (spectral reflectance) of the power generation area of a solar battery unit (12).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 92 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP Patent 411119190A to Sekiguchi.

As per claim 92: Sekiguchi discloses a device as stated above with regards to claim 93. Sekiguchi discloses all subject matter claimed by applicant with the exception of the limitation stated in claim 92, i.e., a display with low brightness by said liquid crystal display panel is performed using a low reflectance characteristic of a solar battery.

Official Notice is taken with respect to a display with low brightness by a liquid crystal display being performed using a low reflectance characteristic of a solar battery since it is well known in the solar battery art that if no to little ambient light is being transmitted to the solar battery than insufficient power is generated thus creating a low brightness on the liquid crystal

Art Unit: 2841

display. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have no to little ambient light transmitter to solar cell of Sekiguchi, as claimed by applicant, to conserve power, respectively.

7. Claim 94 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP Patent 411119190A to Sekiguchi in view of US 6,268,558 to Kubota.

As per claim 94: Sekiguchi discloses a device as stated above with regards to claim 93. Sekiguchi discloses all subject matter claimed by applicant with the exception of the limitation stated in claim 94, i.e., a printed layer having substantially same spectral reflectance as that of a power generation portion of said solar battery being provided on a non-power generation portions of a solar battery. Kubota discloses solar battery module wherein light is applied to said solar battery to generate electric power, and a printed layer/insulating color film disposed in regions other than the photoelectric conversion section (col. 6, lines 15-68). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to replace the solar battery, as taught by Sekiguchi, with the solar battery module, as taught by Kubota, in order to reduce a color difference from the photoelectric conversion section.

Response to Arguments

8. Applicant's arguments with respect to claim May 2, 2005 have been considered but are moot in view of the new ground(s) of rejection.

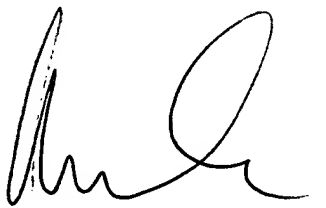
Conclusion

Art Unit: 2841

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 disclose related devices. US Patent 5,963,282 to Battersby discloses LCD/photovoltaic structure and US Patent 5,431,741 to Sakaguchi et al. discloses a low reflectance layer on solar cell.

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (571) 272-2104. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2861.

JMG
Sept. 19, 2005



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